

## Thursday, January 23, 2014 Minutes

### South Dakota Board of Medical & Osteopathic Examiners Telephonic Public Board Meeting

Board Members Present: Kevin Bjordahl, MD; Walter Carlson, MD; Mary Carpenter, MD; Mr. Bernie Christenson; David Erickson, MD; Laurie Landeen, MD, Brent Lindbloom, DO; Jeffrey Murray, MD

Board Member Absent: Deb Bowman

Board Staff Present: Margaret Hansen, PA-C; Mr. Tyler Klatt, Ms. Jane Phalen

Counsel Present: Diane Best, Hearing Examiner  
William Golden, Staff counsel

Dr. Mary Carpenter, President of the Board, called the public telephone meeting to order at 5:00 pm. Roll was called, a quorum was established.

A motion for staff to draft administrative rules based upon the 2013 update to the Federation of State Medical Boards model policy regarding Opioids and the Treatment of Pain for review and discussion at the March 13, 2014 Board meeting was ratified by a voice vote of the Board (Carlson/unanimous).

A motion for staff to draft administrative rules based upon the 2013 update to the Federation of State Medical Boards model policy regarding Pain and the Treatment of Opioid Addiction in Medical Office for review and discussion at the March 13, 2014 Board meeting was ratified by a voice vote of the Board (Bjordahl/unanimous).

The executive director presented a report on the Federation of State Medical Boards' draft of an Interstate Medical Licensure Compact and the request for comments. A motion for the executive director to draft a response and send it to the FSMB was ratified by a voice vote of the Board (Carlson/unanimous).

### Physician Hearing

The physician did not waive privilege. The Board entered a closed pursuant to SDCL 36-4-31.5 *Evidence in cancellation, revocation, suspension, or limitation proceedings confidential. Testimony of a witness or documentary evidence of any kind on cancellation, revocation, suspension, or limitation proceedings are not subject to discovery or disclosure under chapter 15-6 or any other provision of law, and are not admissible as evidence in any action of any kind in any court or arbitration forum, except as hereinafter provided. No person in attendance at any hearing of the Board of Examiners considering cancellation, revocation, suspension, or limitation of a license, resident license, or certificate issued by it may be required to testify as to what transpired at such meeting. The prohibition relating to discovery of evidence does not apply to deny a physician access to or use of information upon which a*

*decision regarding the physician's staff privileges was based. The prohibition relating to discovery of evidence does not apply to any person or the person's counsel in the defense of an action against the person's access to the materials covered under this section. Source: SL 1985, ch 297, § 21; SL 2009, ch 178, § 13; SL 2013, ch 172, § 14.*

The public meeting resumed and there being no further business the meeting adjourned at 6:30 pm.

The next Board meeting is Thursday, March 13, 2014.